

AUGUST 16, 2016

The Town Council met in regular session at the Town Hall at 8:00 a.m.

The Pledge of Allegiance was led by President Blaylock.

Present were: BLAYLOCK, ALSOP, FLANDERS, WADE, and WATSON along with Clerk-Treasurer Karla Atkins and Attorney Thomas Clowers.

The following visitors were present: Shannon DeLop, Blake Walden, Rich Anderson, Lois Gray, Ann Rains, Dan Barton, David & Carlene VanLaningham, Don Alsop, Brett Slayden, David Campbell, Sue Krozel, Loretta Gerard, Shauna Wallace, Nathan & Jeanne Maudlin, Josh Riedford, Ken Weinzapfel, Ryan Rapp, Michelle Klaser, Todd Wiley, Megan Erbacher, and Caleb McDaniel.

Councilman Wade made and Alsop seconded a motion the minutes of the July 8, 2016 special meeting be approved. All were in favor. Motion carried.

Councilman Watson made and Wade seconded a motion the minutes of the previous regular meeting be approved. All were in favor. Motion carried.

Councilman Flanders made and Wade seconded a motion the minutes of the July 22, 2016, and August 2, 2016 special meetings be approved. All were in favor. Motion carried

Councilman Alsop reported the Town applied for a grant through the Community Crossings matching grant program. Grant awards will be announced by the end of August.

Councilman Flanders stated Maple Hill Cemetery is in good shape, and he thanked the Town workers for clearing the downed trees. He has asked that some funds in the 2017 budget be dedicated to capital improvements at the cemetery.

Councilman Flanders reported the Park Board has approved repairs to the electrical box at Murphy Park. There will be a tree planting on September 10 as part of the state Bicentennial and also on October 15, Arbor Day.

Councilman Watson announced golf cart inspections will be done on August 29 from 4:00 p.m. to 8:00p.m. by Marshal McDaniel. Other dates can be scheduled if needed.

Councilman Watson made and Alsop seconded a motion that the request by Johnson United Methodist Church to use Maclure Park and to close Raintree Street on August 27 for their ice cream social be approved. All were in favor. Motion carried.

Brett Slayden, with Heritage Federal Credit Union, reported the New Harmony branch is now open and they are planning an official grand opening on September 14. They requested permission to place a grill on the sidewalk that day. Councilman Wade made and Watson seconded a motion that the request from Heritage Federal be approved. All were in favor. Motion carried.

President Blaylock reported the Town was contacted by Hoehn Plastics regarding a proposal to lease their building to TriValence. If this goes through, TriValence plans to hire 59 employees, and they are hoping for a 10-year lease on the building. President Blaylock thinks this would be a great asset to the community. Councilman Watson made and Wade seconded a motion that the Town continue to move forward and work with Hoehn Plastics on the proposal. Councilman Flanders stated he would appreciate a representative from either Hoehn or TriValence be present as he has some questions. President Blaylock commented he had invited Jason Hoehn to attend the meeting but he was unable to. Councilman Flanders reviewed some of the questions he would like answered, and President Blaylock asked that he put the questions in writing and he will then forward them to Jason Hoehn. All were in favor. Motion carried.

President Blaylock reported hydrant flushing will begin August 22 and continue until all hydrants are flushed. A notice will be posted once the flushing is complete.

Councilman Flanders reviewed some of the activities planned for September 10 and 11 for the state Bicentennial. Also, on August 28, a golf cart decorating will occur at Pat Gosh's Doll Shoppe. Bows and banners will be provided at that time for those wishing to include their golf cart in the festivities. Councilman Flanders read Resolution 2016-1 in full. This resolution proclaims September 11, 2016, as "Indiana Bicentennial Torch Relay Day". Councilman Flanders made and Wade seconded a motion that Resolution 2016-1 be adopted. All were in favor. Motion carried.

Todd Wiley, with the Ribeyre Gym Restoration Group, requested some street closures for their 5k to be held October 15. They requested that Main St. from Tavern to Murphy be closed beginning at 7:30

a.m. that day. Other streets will also be closed using their own manpower. President Blaylock offered any other assistance the Town could provide. Councilman Watson made and Flanders seconded a motion the street closure request be approved. All were in favor. Motion carried.

Carlene VanLaningham spoke of the blight at 629 South St. She stated there is still a cat problem and the window is still broken. She has gotten an estimate of \$9,800. from Parker Construction to demolish the structure and clean the property. Mrs. VanLaningham also contacted Jim Alsop about the Blight Elimination Program (BEP) in Posey Co. She was informed that the Town is not part of the program because at the time it was established, the Town Council did not feel there was any blight in the Town. She encouraged Council to look into the BEP to see if any funds would be available. Attorney Clowers has looked into the BEP, and he stated there may be funds available. However, a willing land owner is required, and the property would need to be released from the bankruptcy. Attorney Clowers stated another option is dilapidated housing, which would involve the Town acquiring the property with the intent of passing it along to a private individual. The Town would have to provide the funding for this. Councilman Flanders asked if ownership of the property has been established. Attorney Clowers stated this is still unknown. Councilman Flanders agreed to look into ownership of the property.

Mrs. VanLaningham commented on the flooding that occurred on South St. on July 4. She stated her husband had spoken to Larry Shafer and he stated that when the new drainage was installed, a large enough inlet was not installed at Brewery and South. President Blaylock stated that due to the flash flooding, trash, debris, corn stalks, etc. had plugged the drains. He continued that the drains are not too small, and that any time there is a six or seven inch rain, there will be flooding.

Josh Riedford, with Mr. Pictures, followed up with Council on some street closure requests he has previously discussed with Council. They would like to close Church St. from Main to Brewery on October 23 and 24. On October 26, they would like to close Main St. from Granary to Steammill. President Blaylock asked that Mr. Riedford put his request in writing, and he asked that Attorney Clowers look into the procedure for closing Church St., which is a state highway. Mr. Riedford commented it is possible to not close Church St., and possibly just barricade off a portion of the parking area. Mr. Riedford announced they will be showing a short film at 5:00 p.m. on August 27 at Sara's.

David Campbell stated there have been some complaints from some young people about harassment by the Town Marshal. It was reported to him, and he forwarded it to Councilman Flanders. He asked if Council intends to investigate the claim. Attorney Clowers stated that in the case of allegations against a Town employee, there are civil remedies for such things. He continued this is not the time to resolve such a situation. The complaint would need to come through the proper channels to bring it to the Town's attention. Councilman Flanders made a motion that Council convene an Executive Session to investigate allegations of misconduct by an employee of the Town. At that Executive Session, the President will be asked to outline the procedures by which the investigation will proceed and hopefully a resolution to this matter. There was no second. Motion failed. Councilman Flanders asked how President Blaylock would like to proceed in handling of the matter, or is the answer that the complainants can only seek civil resolution and not the outcome of some investigation by the Council of the allegations. Attorney Clowers pointed out there is no formal complaint in front of the council. Councilman Flanders stated he had forwarded a complaint to President Blaylock a week earlier. Attorney Clowers again stated this is not the time to discuss this. Councilman Flanders pointed out he does not feel it is Attorney Clowers job to enforce the rules, and that it should be President Blaylock. Councilman Alsop made and Watson seconded a motion that the Council meeting be recessed. All were in favor except Councilman Flanders. Motion carried. The recess began at 8:37 a.m.

The meeting was reconvened at 8:52 a.m.

President Blaylock stated that if a formal written complaint is filed, the Town will be happy to look at it and investigate further. Councilman Flanders commented that in the absence of a formal process by which the Town considers complaints, he contends that the relaying of the information he shared with President Blaylock, based on his interviews with four of the eight people, he believes that constitutes a verbal complaint. There is no process by which the Town requires a written complaint, however, Councilman Flanders stated Council is now imposing one. He feels the verbal complaint is sufficient to put the Town on notice. Attorney Clowers stated the individuals who submitted the verbal complaint need to put it in writing, and submit it to the Town.

Nathan Maudin stated he is pleased to hear about the potential new business at the old fairgrounds. He asked that Council consider the environmental impacts of the polymer to be made there. President Blaylock thanked Mr. Maudlin for his comments and stated they will be taken under advisement and considered very seriously.

President Blaylock reported the Council has signed an agreement with the WMI regarding the former school property. The WMI is in the process of raising funds. The deadline is June 30, 2017, for a decision to be made in transferring the property.

Councilman Wade asked if Council members would consider extending the sprinkling credit through the month of October. No final decision was made.

Councilman Wade made and Watson seconded a motion the claims be allowed and the Clerk pay the same. All were in favor. Motion carried.

There being no further business, the meeting was adjourned at 8:57 a.m.

Alvin Blaylock, President of Town Council

Attest:

Karla L. Atkins, Clerk-Treasurer